

# COASTAL CONSERVANCY

Staff Recommendation

September 15, 2004

## VICTORINE RANCH ROAD REPAIR

File No. 81-043

Project Manager: Prentiss F. Williams

**RECOMMENDED ACTION:** Approval and adoption of an Initial Study and Mitigated Negative Declaration for repairs to an access road on the Coastal Conservancy's property in Victorine Ranch; and authorization to augment the Conservancy's authorization of March 23, 2000 and disburse an additional amount not to exceed seventy-five thousand dollars (\$75,000) to complete the repairs.

**LOCATION:** The Victorine Ranch subdivision, located on the east side of State Highway One, approximately 9 miles south of the City of Carmel (Exhibit 1). The property is bordered on the south by Garrapata State Park.

**PROGRAM CATEGORY:** Coastal Restoration

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### **EXHIBITS**

Exhibit 1: Project Location

Exhibit 2: Final Initial Study and Mitigated Negative Declaration

Exhibit 3: March 23, 2000 Staff Recommendation

Exhibit 4: Map of the Victorine Ranch

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### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31000 *et seq.* of the Public Resources Code:

"The State Coastal Conservancy hereby adopts the Mitigated Negative Declaration, attached as Exhibit 2 to the accompanying staff recommendation, for the Victorine Ranch road repair project; revises the road repair project to incorporate all changes, mitigations, and mitigation-monitoring measures set forth in Exhibit 2; and authorizes the augmentation of its March 23, 2000 authorization by an amount not to exceed seventy-five thousand dollars (\$75,000) to complete the proposed project."

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The Conservancy has considered the Initial Study and Proposed Mitigated Negative Declaration together with comments received during the public review process, and finds that there is no substantial evidence that the Victorine Ranch road repair project, as mitigated, will have a significant effect on the environment within the meaning of 14 California Code of Regulations Section 15382. This finding reflects the Conservancy’s independent judgment and analysis.
2. The proposed Victorine Ranch road repair project remains consistent with Conservancy authorizations and findings pertaining to the Big Sur Restoration Plan, adopted by the Conservancy in 1985, and the Craven-Nation Property Disposition Plan adopted by the Conservancy in 2000.”

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**PROJECT SUMMARY:**

The recommended actions are approval and adoption of an Initial Study and Proposed Mitigated Negative Declaration (IS/MND) for the Victorine Ranch road repair project and authorization to disburse an additional amount not to exceed \$75,000 to complete the necessary repairs. The Conservancy authorized the disbursement of up to \$100,000 to carry out the road repair project in March 2000, when a disposition plan for sale of the property subject to conservation easements was also approved (Exhibit 3). Subsequently, Conservancy staff has worked with a neighboring property owner to address access problems caused by the development of that neighbor’s property, and submitted an application to the County of Monterey for the road repair project. After consultation with County Planning staff, it was determined that an initial study should be prepared and circulated pursuant to the California Environmental Quality Act (CEQA) to examine the potential adverse impacts of the road repair project.

The Initial Study, prepared by Conservancy staff and environmental consultants, concludes that, with specified mitigation and monitoring measures, the repairs to the road on the Conservancy’s property will not have a significant impact on the environment. This action will meet CEQA compliance requirements and enable staff at the Monterey County Department of Planning and Building Inspection to continue its consideration of the Conservancy’s application for a Combined Development Permit for the road repair project. Repairs to the road are needed because the sole means of access to the Conservancy’s property is from a private road off Highway One, maintained by the individual owners, but has been washed out where the road enters Conservancy property. Without this road repair, vehicular access onto the Conservancy’s property is impossible. Repair of the road is necessary for any maintenance or improvement of the property, and, in particular, in order for staff to market and sell the property in accordance with the property disposition plan approved by the Conservancy on March 23, 2000 (Exhibit 3).

If approved by the County Planning Commission, the road repair project would entail replacing a 120 linear foot portion of the existing access road that was washed out in the 1997-98 winter storms events. A 36-inch culvert would be placed under the road to facilitate future storm flow. Approximately 336 cubic yards of cut and 267 cubic yards of fill would be moved to construct a

new drainage crossing. The proposed alignment of the road would be changed slightly to shorten and stabilize the extreme curve that previously existed prior to the storm damage. Staff anticipates that the repairs may be completed this fall and the property marketed in the spring of 2005.

In the course of conducting the environmental review, the Conservancy incorporated extensive mitigation measures into the project, which will increase the scope of the construction project. In addition, the costs of labor and materials have increased since the March 23, 2000 authorization of funds. The net result of these two factors has been to increase the total cost of the project substantially, requiring the authorization of additional funds for a total amount not to exceed \$175,000. The road repair would be accomplished by the Direct Construction Unit of the Department of General Services' Real Estate Services Division.

**Site Description:** The project site is located in the "Victorine Ranch," an area of approximately 460 acres of coastal upland lying east of State Highway One across from the Otter Cove subdivision at the northern boundary of the Big Sur (Exhibit 4). The area lies approximately 10 miles south of the City of Carmel, and just south of Malpas Creek in the Big Sur LCP Planning Area. Garrapata State Park abuts the property on the south.

The Victorine Ranch was subdivided into eighteen parcels in the late 1950s and individual parcels sold. There are currently five completed homes in the Victorine Ranch subdivision.

The Coastal Conservancy's property, known as the "Craven-Nation" property, consists of two undeveloped parcels (APNs 243-211-17 and 243-221-19) which comprise a total of 100 acres located at the southern boundary of the Victorine Ranch. The site is currently zoned Watershed/Scenic Conservation with a minimum lot size of 40 acres, a designation that could potentially permit the development of up to one residence on each parcel. Access to the Craven-Nation property is provided by a common, private road serving the other residential properties in the Victorine Ranch. The property is within the service area of the Victorine Ranch Mutual Water Company, and the Conservancy has secured entitlements for the future owner of the Craven-Nation property to subscribe to the private mutual for water service.

**Project History:** The proposed action is the latest in a series of actions undertaken by staff as part of the Victorine Ranch Model Transferable Development Credit (TDC) project. A discussion of the Monterey County TDC program and detailed history of the Conservancy's project, which was begun in 1985, can be found in the "Project History" and "Project Description" sections of the March 23, 2000 staff recommendation attached as Exhibit 3. At that time, the Conservancy approved an implementation plan for the disposition of the Craven-Nation property which directs sale of the property subject to conservation easements, and authorized the disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) for access road repairs and other infrastructure improvements necessary to carry out the approved implementation plan.

Since that time, staff has prepared acquisition documents, including easements to be retained by the state upon sale of the property and hired consultants to prepare plans and specifications for the road repair and prepare and submit applications for all necessary permits, including a Combined Development Permit from Monterey County. Upon consultation with staff at the Monterey County Department of Planning and Building Inspection, Conservancy staff prepared

and circulated an Initial Study and draft Mitigated Negative Declaration assessing the potential environmental impacts of the road repairs. The potential impacts of the proposed project, the measures proposed to mitigate these impacts, along with a plan for monitoring the success of the mitigation measures, are discussed in detail in Exhibit 2. The potential impacts and proposed mitigations are also summarized in the “Compliance with CEQA” section below.

**PROJECT FINANCING:**

Current Request:	\$ 75,000
March 23, 2000 Authorization:	100,000

Previous Project Expenditures:

Purchase of Kasler Point*:	\$ 302,500
Purchase of Craven-Nation Parcels:	502,500
Environmental Analysis:	40,000
Water System Construction:	70,000
Common Road Maintenance:	<u>18,500</u>
Total Previous Expenditures:	<b>\$ 933,500</b>

\* TDC Donor Site

The source of funds for the proposed authorization is expected to be the Conservancy’s FY 02/03 appropriation from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40). Consistent with the purposes of this funding source, the proposed project involves development, rehabilitation and restoration of land in accordance with the provisions of the Conservancy’s enabling legislation.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The proposed action is a component of the Victorine Ranch Model Transferable Development Credit (TDC) project, which was undertaken pursuant to Public Resources Code Sections 31200 et seq. (Chapter 5 of the Conservancy’s enabling legislation) pertaining to Coastal Restoration projects. This chapter states that the Coastal Conservancy may disburse funds for the purposes of “restoration of areas of the coastal zone which, because of scattered ownerships, poor lot layout, inadequate park and open space, incompatible land uses, or other conditions, are adversely affecting the coastal environment or are impeding orderly development...” Consistent with Public Resources Code Sections 31200 et seq., the Conservancy approved the Big Sur Restoration Plan in March 1985. The California Coastal Commission subsequently approved the plan, pursuant to Public Resources Code Section 31208. On March 23, 2000, the Conservancy approved an implementation plan for the sale of the Craven-Nation property and authorized the road repair pursuant to Sections 31200 et seq. (Exhibit 3). The road repair project remains consistent with those authorizations and findings.

More specifically, section 31200 states that Conservancy funds “shall be utilized for the assembly of parcels of land within designated coastal restoration areas, for the redesign of such areas, and the installation of public improvements required to serve such areas.” The authority of the Coastal Conservancy under Public Resources Code Sections 31204 and 31213 to provide the total cost of implementation of a restoration project, and to directly undertake such projects,

supports the adoption of the IS/MND and the expenditure of funds as described in this recommendation.

**CONSISTENCY WITH CONSERVANCY'S  
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

The proposed road repair is being undertaken in preparation to market and sell the Craven-Nation property. While not a goal of the Conservancy's Strategic Plan *per se*, sale of the property is one of the components of the Conservancy's 1995 Long-Term Financial Strategy, an updated version of which is included in the Appendices to the Strategic Plan. The Long-Term Financial Strategy identified "expedited asset disposition" as a key element for generating additional revenue for the Conservancy and the Strategic Plan "Update of the Long-Term Financial Strategy" concludes that continued revenue generation is essential to the achievement of the Conservancy's financial goals with respect to support funding. One of the actions specifically identified in the "Update" required to successfully implement the Long-Term Financial Strategy is sale of the Conservancy's property in the Victorine Ranch. The action proposed in this staff recommendation is consistent with the goal of expediting the disposition of the Victorine Ranch.

Consistent with **Goal 8, Objective A** of the Strategic Plan, the Victorine Ranch project would help resolve land use conflicts through the redesign of a subdivision and use of a transfer of development credit program.

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

Repair of the road is a necessary action for the Conservancy to take in order to adequately manage and maintain its real property, and is a necessary step to carrying out the Big Sur Restoration Plan that was adopted by the Conservancy in 1985 pursuant to the Coastal Restoration Program. At that time, the Big Sur Restoration Plan was found to be consistent with the Conservancy's Restoration Program Guidelines. It is also a necessary action to carrying out the disposition of the property as authorized by the Conservancy on March 23, 2000.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The Monterey County Local Coastal Program Big Sur Coast Land Use Plan designates the Victorine Ranch property as "Watershed and Scenic Conservation" (WSC), a land use designation which provides for the development of land in the more remote or mountainous areas in the Coastal Zone while protecting the significant and substantial resources of those areas. Of specific concern are the highly sensitive resources of those areas such as viewshed, watershed, plant and wildlife habitat, streams and riparian corridors. The proposed project would involve the rehabilitation of a failed road and, as demonstrated in the environmental document, would serve to protect and restore the natural resources of the project area. Upon sale of the Craven-Nation property, the Conservancy would reserve easements over those portions of the property that are within the Critical Viewshed and that contain Environmentally Sensitive Habitat Areas (ESHA's), including riparian corridors. The Conservancy will also reserve rights of public access on the upper portion of the property through an easement for the development of the Coastal

Trail. Therefore, the project is consistent with the Monterey County Zoning Coastal Implementation Plan and the Local Coastal Program's public coastal-access requirement.

**COMPLIANCE WITH CEQA:** The recommended action is the approval and adoption of an Initial Study and Mitigated Negative Declaration which was prepared pursuant to the California Environmental Quality Act (CEQA) requirements.

Coastal Conservancy staff undertook environmental assessment of the proposed Victorine Ranch Road Repair project through an Initial Study. The Initial Study determined that the proposed project could have possible significant effects on the environment in four areas: Biological Resources, Cultural Resources, Geology and Soils, and Noise. Based on that Initial Study, the Conservancy staff incorporated several mitigation and mitigation-monitoring measures to reduce these impacts to levels of insignificance. The potential environmental impacts of the proposed project, the corresponding mitigations and specific mitigation-monitoring actions, are identified and discussed in detail in Exhibit 2, and are summarized below:

### **Biological Resources**

Impact: The results of field surveys in the Area of Potential Impact (API) for the Victorine Ranch Access Road Rehabilitation Project indicates the proposed construction activities are likely to impact the following habitat types:

- Three hundred square feet (.007 acre) of maritime chaparral habitat, which is included on the California Department of Fish and Game's list of high priority habitats.
- One thousand three hundred and fifty square feet (.031 acre) of wetland habitat regulated by the Army Corps of Engineers.
- Three hundred square feet (.007 acre) of riparian habitat regulated by the California Department of Fish and Game.
- Twenty individuals of seacliff buckwheat (*Eriogonum parvifolium*), the obligate reproductive host of the federally Endangered Smith's blue butterfly (*Euphilotes enoptes smithi*), were identified in the API. Therefore, presence of the butterfly is assumed due to the plants potential to attract and sustain a Smith's blue butterfly population.

Two special-status plant species were identified within the project API:

- One individual of Hooker's manzanita (*Arctostaphylos hookeri*).
- Approximately 12 individuals of Monterey pine (*Pinus radiata*), four of which are larger than two inches diameter-at-breast-height (dbh).

No special-status wildlife species were identified during the field surveys and no additional focused wildlife surveys are suggested.

### Mitigations:

Prior to construction, a qualified biologist shall formulate a Site Restoration and Planting Plan which shall identify measures necessary to restore habitat types that are likely to be disturbed by the construction. The Site Restoration and Planting Plan shall identify appropriate plant palettes

for each habitat type and shall include specific methodologies for the collection, cultivation, and propagation of locally-occurring native plants to be used for replanting disturbed areas. The Site Restoration and Replanting Plan shall include the following specific components:

*Mitigation Measure 1 – Maritime Chaparral*

Prior to the road construction, a qualified biologist shall implement specific methods for collecting and propagating locally-occurring native plants from the site, and replanting maritime chaparral that will be disturbed by the road construction.

*Mitigation Measure 2 – Wetland Habitat*

- A) Prior to the road construction, a qualified biologist shall implement specific methods for collecting and propagating locally-occurring native plants from the site, and replanting of wetland areas that will be disturbed by the road construction.
- B) The Army Corps of Engineers shall review the Site Restoration and Planting Plan to obtain its concurrence that the project mitigation is sufficient to be authorized under the Nationwide Permit prior to the initiation of construction activities.

*Mitigation Measure 3 – Riparian Habitat*

- A) Prior to the road construction, a qualified biologist shall implement specific methods for collecting and propagating locally-occurring native plants from the site, and replanting of riparian areas that will be disturbed by the road construction.
- B) A qualified biologist shall ensure that any riparian trees removed be replaced at a ratio of 3:1.
- C) The Site Restoration and Planting Plan shall be reviewed by CDFG to obtain its concurrence that the project mitigation is sufficient to be authorized by a Streambed Alteration Agreement prior to the initiation of construction activities.

*Mitigation Measure 4 – Seacliff Buckwheat*

- A) Prior to construction, a qualified biologist shall identify appropriate areas for planting in and adjacent to the API for seacliff buckwheat at a ratio of 3:1 for any plants removed, and shall implement specific methods for collecting and propagating locally-occurring plants from the site for replanting subsequent to the road construction.
- B) The U.S. Fish and Wildlife Service shall review the Site Restoration and Planting Plan to provide concurrence that the project will not result in the take of federally listed species.

*Mitigation Measure 5 – Hookers Manzanita*

- A) Prior to construction, a qualified biologist shall implement specific methods for the collection and cultivation of the above-mentioned plant for the propagation and replanting of cuttings made from the collected plant. These cuttings shall be planted in and adjacent to the API in areas of maritime chaparral.

*Mitigation Measure 6 – Monterey Pine*

A) Mitigation Measures for the double pine

1. Prior to construction initiation, a qualified arborist shall ensure that the root system and trunk of the double pine at the existing road's outer edge will be protected from unnecessary disturbance and compaction by construction activities. No fill shall be allowed to rest in contact with the trunk of this tree;
2. Prior to construction initiation, a qualified arborist shall ensure that tree limbs interfering with equipment operation and passage are pruned in advance of road rehabilitation; and
3. Prior to construction initiation, a qualified arborist shall ensure that the bottom 8' of the tree's trunk is protected by wrapping it with protective materials sufficient to withstand inadvertent contact with machine buckets or blades.

B) Prior to planting, a qualified forester or horticulturist should be consulted to assure that pine planting stock is of truly native and local (on the coast from Point Lobos south to Malpaso Creek).

**Cultural Resources**

Impacts: Archaeological Consulting completed a Preliminary Cultural Resources Reconnaissance of a Portion of the Victorine Ranch in October 1988, which included the proposed project area. In a letter dated January 24, 2003 from Archaeological Consulting, it was confirmed that the 1988 survey is valid and there is no need to complete another archaeological reconnaissance survey or an evaluation of the road rehabilitation project impacts. The 1988 survey found no evidence of cultural resources present on the site. However, the possibility always exists that unidentified (buried) cultural resources may be discovered during construction.

Mitigation: If archaeological or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

**Geology and Soils**

Impacts:

Soils

D&M Consulting Engineers, Inc. completed the Geological and Geotechnical Report. According to their findings, the geologic units encountered along the project alignment include man-made road fill, alluvial and colluvial soils, Quaternary terrace deposits, and Mesozoic granite. These materials are exposed along the alignment, or nearby, in road cuts, erosion gullies, and in natural channels. According to the information contained in the Geographic Information System (GIS), the project area has a moderate susceptibility for landslides. The erosion risk is high and the risk of liquefaction is low.

Both colluvial and alluvial soils are derived from weathering of bedrock material. Colluvial soils comprise the soil mantle overlying adjacent hillsides. The colluvial soil mantle exposed by road

cuts along the alignment generally consists of loose sandy silt containing many roots, voids, and fragments of weathered rock. The colluvium is typically no more than one- to two-feet thick. Alluvial soils occur within and along the bottom of the seasonal creek and its minor tributary drainages. Alluvium within the seasonal drainage consists of a variable mixture of silt, sand, and rounded gravel to boulder-sized clasts derived largely from granite. The thickness of the alluvium at the proposed road channel crossing is not known, but it is likely to average only a few feet deep.

#### Erosion

The Geological and Geotechnical Report indicates that the project site is located on highly erosive soils. According to D&M, existing man-made fills are poorly constructed, cut and fill slopes are excessively steep, and there is a localized presence of groundwater seepage, particularly along the cut slopes south of the creek channel crossing. The existing road fill has little cohesion and is prone to erosion. Man-made fill occurs along most of the outside (down slope) edge of the road alignment as a narrow wedge of side cast soil. A deeply eroded gully crosses the road immediately south of the original creek channel. Where exposed to the gully sidewalls, the road fill consists of loose to medium dense, gravelly and sandy silt that appears to have been placed directly on the native soils without keying, benching, or compaction in horizontal layers. The gully is incised as much as seven feet below the original road grade exposing the fill and underlying soils and bedrock. A small side gully entering this deeper gully from the southwest suggests that some of the flow through the gully originates from cut-bank seepage or from runoff from upslope. Other gullies, shallow slumps, and a landslide area described in the Geotechnical Report all indicate that these soils are highly erosive.

#### Seismicity

According to the information contained in the Geographic Information System (GIS), the project area has a moderate susceptibility for earthquakes. The road rehabilitation project is not considered to be at significant risk from tsunamis. No active faults have been mapped across the project site. However, ground shaking at the site can occur as a result of an earthquake on one of the active regional faults. The San Andreas Fault, an active fault, is located 56 km from the project site. Other active faults in the vicinity include the San Gregorio fault (3 km from the project site), Monterey Bay – Tulcaritos (12 km), and Rinconada (27 km). In order to maintain plan consistency and to reduce potential seismic-related impacts to less-than-significant levels, necessary mitigation measures are designed to address impacts that could result from an active fault.

#### Mitigations:

Mitigation measures based on the consulting geologist's recommendations are listed below and are required in order to minimize potential impacts resulting from the seismic risk in the project areas to less-than-significant levels.

#### Mitigation Measure 7

In order to reduce the risk of geologic impacts to the road rehabilitation to less-than-significant levels, the following mitigation measures shall be followed:

- A) Prior to issuance of grading permits, the applicant shall plan for the removal and replacement of existing non-engineered road fills and their replacement with engineered fills. Whitson Engineers specified that all fill shall be compacted to a minimum of 90% relative compaction, based on ASTM test D1557, except that the upper six inches of all sub-grade areas below future pavement sections. Other areas to receive improvements shall be compacted to a minimum of 95% relative compaction.
- B) If fill slopes steeper than 2H:1V are desired, fill reinforcement shall be used.
- C) Prior to the issuance of grading permits, localized flattening of cut slopes or use of earth retaining structures shall be designed by the engineer to accommodate both earth materials and groundwater conditions by retaining soils and controlling groundwater seepage.

Mitigation Measure 8

Construction Related Erosion Control to minimize on-site transport of soil by reducing soil disturbance and intercepting and capturing soils displaced from disturbed areas during construction.

A) Grading and Drainage

- 1) Mass grading operations should be restricted to seasonal periods of minimal rainfall (April 15 - October 15). Where site-specific grading during the wet season is proposed, specific erosion control measures should be implemented as authorized by the Director of Building Inspection and all work should be in compliance with Section 16.12.090 of the Monterey County Erosion Control Ordinance.
- 2) Grading operations and heavy equipment access should be limited to only those areas necessary for completion of the project. Construction entrances to the project area should be stabilized with gravel to prevent “tracking” soil and mud onto Highway One or other project roads. Adjacent vegetated areas should be protected and maintained to reduce erosion and “filter” runoff from disturbed areas.
- 3) Mass grade operations should implement runoff capture and controlled release. If work is conducted during the dry season, it is unlikely that there will be any water in the drainage channel. If flow should be present, flow velocities should be detained or filtered through the use of berms, straw wattles, sediment traps, and/or vegetative buffer strips to prevent the escape of sediment from the site. No access or grading should be permitted while raining and vehicle movement on dirt roads should be minimized during storm events.
- 4) Excess outlet velocities from the new 36-inch drainage culvert shall be controlled through rock riprap protection and/or other energy dissipaters. Culvert discharges to the seasonal stream crossing shall occur at acute angles directing flows downstream and minimizing cross-current erosion of drainage banks.
- 5) A vegetative buffer “setback” from areas immediately outside of the project construction area shall be provided to minimize disturbance to existing drainage channel and stable soil/rock materials, protect the stream channel, and prohibit additional disturbance.
- 6) Silt fences shall be installed with stakes at a distance no more than six feet apart to ensure that the integrity of the fence is maintained. Environmental fencing and access control fencing around vegetative buffer areas shall be provided to ensure protection. Straw, jute

netting and an appropriate revegetation method should be used at completion of grading activities to stabilize soils.

- 7) Topsoil that is removed from disturbed areas should be stockpiled for finish grading and revegetation after construction activities are completed. Topsoil should be reapplied except on slopes greater than 30%. Stockpiled topsoil should not be compacted but should be protected from loss with perimeter silt fencing.

B) Roadways

- 1) Cut slopes should be as steep as practical for site-specific soil conditions. Where practical, surface flow above cuts should be intercepted by swales, temporary berms, or drainage systems to minimize flow down cut slope faces, unnecessary erosion, and slope failures.
- 2) When possible, fill slopes should be track-walked with a crawler tractor or other method to compact the fill and minimize its erosion potential.
- 3) Cut and fill slopes shall be initially planted with annual rye grass at 40 pounds per acre and covered with straw mulch to meet short-term erosion control needs. Long term planting should be consistent with the Revegetation Plan and include native grasses. Woven jute or excelsior matting should be employed on steeper slopes to provide immediate stabilization.
- 4) Roadway construction at the new drainage crossings location should be preceded with culvert placement. Disturbance at the crossing should then be minimized.

C) Dust Control

- 1) Water trucks and/or temporary sprinkler systems should be used to prevent dust from blowing from the site or onto adjacent native vegetation.
- 2) Water trucks should sprinkle all access roadways on a frequency necessary to preclude dust formation and transport. Air temperature, wind, and relative humidity should be considered in determining the frequency of on-site and access road dust control watering.
- 3) Provision of soil binders, watering, and revegetation of disturbed areas should proceed as quickly as possible after disturbance.

Mitigation Measure 9

Design Guidelines to ensure the design of permanent drainage and erosion control features incorporate Best Management Practice's (BMP's) and meet long-term erosion control objectives for the project.

- A) Grading and drainage activities shall be designed to work with the prevailing topography to minimize total disturbance. Where drainage facilities are required, they should be designed to safely pass anticipated flows yet minimize scour and deposition through erosion controls.
- 1) A sound roadway design shall be implemented to minimize roadway cut and fill prisms while achieving an earthwork balance to the greatest extent practical. Spoils disposal should be in areas not subject to erosion.

- 2) Increased roadway drainage should be controlled through the use of vegetative swales, berms, check dam facilities, silt traps, and maintaining the culvert installation for control of flows and their related erosion/scour energy. Roadways should be graded to “dip” at the culvert crossing so that flows are not redirected and damaging if the culvert becomes blocked.

**B) Revegetation**

- 1) The Revegetation Plan, discussed in the Biological Assessment, shall include specific methods for replanting graded areas, slopes, riparian and potential wetland areas that are disturbed. A planting palette of locally occurring native riparian and wetland plants shall be developed for the site-specific conditions. In addition, defined success criteria, a three-year monitoring plan, adaptive management options if the success criteria are not met, and a long-term funding mechanism shall be specified. Upon implementing this plan, it is expected that the project site will support the same or more riparian habitat after construction than it currently does. This is due to the design configuration of the road improvement, allowing inundation of the area behind (up stream) of the new road alignment.
- 2) According to the erosion control and revegetation seed mixes, native species should be used to meet the immediate vegetative establishment and long-term revegetation objectives, as well as replace habitat for important wildlife species (ie. Smiths blue butterfly).
- 3) Combined use of hydro mulch, soil stabilizers, erosion control matting, and other products and materials should be used for immediate slope stabilization pending seed germination and vegetation establishment. Control matting, and/or other products should be required in the disturbed swale and channel if vegetation is not established at the onset of the rainy season, where potential flow velocities may be higher.
- 4) Permanent vegetative buffers shall be provided in downslope areas.

**Noise**

Impacts: There are no significant generators of ground-borne vibration or ground-borne noise associated with the project and this issue is not evaluated further. This project is not located within an airport land use plan or in the vicinity of a public use airport. This project is not located within the vicinity of a private air strip.

Construction noise represents a short-term impact on ambient noise levels. Noise generated by construction equipment, including earth movers, material handlers, and heavy trucks can reach relatively high levels (refer to Table 4). According to the EPA, the equipment types operating at construction sites similar to the proposed project would not create substantial noise levels during daytime hours, particularly if the noise source is operated intermittently.

Construction noise is assessed against the potential to create indoor or outdoor activity interference. Since outdoor conversation is interfered by noise levels that exceed an average of 60 dBA, this would be considered the threshold for impacts for activities, which take place over a relatively long period of time, i.e., continuously for several months. Existing residences are located within 200 feet of the project area and would be exposed to short-term noise impacts during construction. This is considered a potentially significant impact that can be reduced to a

less-than-significant level with mitigation.

Mitigation:

Mitigation Measure 10

In order to minimize construction noise nuisance impacts

- A) Choose construction equipment that is of quiet design, has a high-quality muffler system, and is well maintained, including trucks used to haul materials.
- B) Install superior intake and exhaust mufflers and engine enclosure panels wherever possible on gas, diesel or pneumatic impact machines. Stationary noise sources shall be located at least 300 feet from occupied dwelling units unless noise reducing engine housing enclosures or noise screens are provided by the contractor.
- C) Restrict hours for use of construction equipment, such as 8 am to 6 pm, Monday through Friday.
- D) Eliminate unnecessary idling of machines when not in use.
- E) Equipment mobilization areas, water tanks, and equipment storage areas shall be placed in a central location as far from existing residences as feasible.

Conservancy Staff filed a Notice of Completion with the State Clearinghouse on August 6, 2004. Staff also provided 15 copies of the draft Initial Study and Mitigated Negative Declaration to the Clearinghouse for circulation for a 30-day public review period. Copies of the draft Initial Study and Mitigated Negative Declaration were also circulated to the County of Monterey and the Coastal Commission on August 6, 2004. Staff sent a Notice of Intent to Adopt Proposed Negative Declaration (NOI) to the surrounding property owners and posted the NOI in the Monterey Herald Tribune.

All comments received on the draft IS/MND as of September 5, 2004 and the responses by Conservancy staff are included in the final IS/MND, attached as Exhibit 2 to this staff recommendation. Upon the Conservancy's adoption of the final IS/MND, staff will file a Notice of Determination with the State Clearinghouse.